

REMARKS

The present application has been reviewed in light of the Office Action dated May 21, 2007. Claims 18-30 are presented for examination, of which Claims 18 and 24 are in independent form. Claims 18, 19, 24 and 25 have been amended to define still more clearly what Applicants regard as their invention, in terms that distinguish over the art of record. Claims 29 and 30 have been added to provide Applicants with a more complete scope of protection. Favorable reconsideration is respectfully requested.

The Office Action states that Claims 18-28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2002/0179704 (*Deaton*), in view of U.S. Publication No. 2004/0193676 (*Marks*). Applicants submit that independent Claims 18 and 24, together with the claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 18 is directed to completing a transaction using a Radio Frequency Identification (RFID) transaction device. The RFID transaction device stores a Uniform Resource Locator (URL) which is associated with a user transaction account number. When a point of interaction (POI) device reads the URL, it sends the URL and a merchant system identifier associated with the merchant system to a third party and/or issuer. This causes the third party and/or issuer to send back to the POI a loyalty user account associated with the incentive/loyalty administrator (*e.g.*, a merchandizing and/or loyalty administrator).

By virtue of these features, the third party and/or issuer can manage the loyalty user account numbers for several incentive/loyalty administrators and associate them all to a single user transaction account associated to a URL. This allows the

incentive/loyalty administrator to process loyalty and incentive rewards, separately from the transaction with the third party and/or issuer.

Deaton relates to a digital wallet, which can present an identifier to a retail terminal. Apparently, *Deaton* teaches a retail terminal that can access the digital wallet to obtain data related to a gift certificate directly from the digital wallet or from a particular storage location using a pointer. After obtaining the data, the retail terminal applies it to the purchase. *Deaton*, para. 0062. Nothing has been found in *Deaton* that is believed to teach or suggest “to use the URL and the merchant system identifier to access at least one of a third party and an issuer, wherein in response to the access using the URL and the merchant system identifier, the at least one of the third party and the issuer transmits a loyalty user account number to the POI device, wherein the loyalty user account number is associated with a loyalty administrator, and wherein the at least one of the third party and the issuer stores a plurality of loyalty user account numbers associated respectively with a plurality of loyalty administrators and the user transaction account,” as recited in Claim 18.

As understood by Applicants, *Marks* relates to transmitting information using a variable string URL. Apparently, *Marks* teaches an RFID tag which includes machine-readable code representative of a URL associated with a Web page containing information relative to the printed materials. As with *Deaton*, nothing has been found in *Marks* that is believed to teach or suggest “to use the URL and the merchant system identifier to access at least one of a third party and an issuer, wherein in response to the access using the URL and the merchant system identifier, the at least one of the third party and the issuer transmits a loyalty user account number to the POI device, wherein

the loyalty user account number is associated with a loyalty administrator, and wherein the at least one of the third party and the issuer stores a plurality of loyalty user account numbers associated respectively with a plurality of loyalty administrators and the user transaction account,” as recited in Claim 18.

Applicant submit that a combination of *Deaton* and *Marks*, assuming such combination would even be permissible, would fail to teach or suggest the features discussed above with respect to Claim 18.

Accordingly, Applicants submit that Claim 18 is patentable over the cited art, and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a). Independent Claim 24 includes the same feature discussed above with respect to Claim 18. Therefore, Claim 24 also is believed to be patentable for at least the same reasons as discussed above.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Jonathan Bershadsky/
Jonathan Bershadsky
Attorney for Applicants
Registration No. 46,551

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

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